

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302 (14) of the District of Columbia Health Occupations Revision Act of 1985 (Act), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice that the Proposed Rulemaking was published on April 20, 2007 at 54 DCMR 003531. No comments were received and no changes have been made to the proposed rulemaking. These final rules will become effective upon publication of this notice in the *D.C. Register*.

Chapter 52 (Naturopathic Medicine) of Title 17 (Business, Occupations & Professions) (May 1990) is amended as follows:

Section 5205 is amended to read as follows:

5205 NATIONAL EXAMINATION

- 5205.1 Except as otherwise provided in this subtitle, an applicant shall receive a passing score on the required level of the examination sponsored by the Naturopathic Physicians Licensing Examination (NPLEX) basic science examination and clinical science examination sections administered by the North American Board of Naturopathic Examiners (NABNE), or other examination approved by the Board of Medicine.
- 5205.2 A passing score on the Part I series of the Basic Science Examination shall be a minimum converted score of seventy-five (75) on each of the five (5) parts.
- 5205.3 An applicant who does not achieve a score of at least sixty (60) on each of failed parts shall be required to retake the entire Part I series.
- 5205.4 An applicant shall take and pass Part II of the Core Clinical Science Examination within ten (10) years of taking Part I of the Basic Science Examination. Failure to take and pass Part II within the ten (10) year period shall result in the applicant retaking Part I again.
- 5205.5 A passing score on Part II of the Core Clinical Science Examination shall consist of:
- (a) Achieving a minimum converted score of at least seventy-five (75) on all eight (8) Part II Core Clinical Science Examinations; or
 - (b) Under the Compensatory Model for Part II Core Clinical Science Series:

- (1) Achieving a converted score on the Physical and Clinical Examination of at least seventy-five (75);
- (2) Achieving an average converted score on the eight (8) Part II Core Clinical Science Examinations of at least seventy-five (75) with Clinical Add-On Examination scores not being included in the average; and
- (3) Achieving a converted score for every Part II Core Clinical Science Examination of at least seventy (70).

5205.6 Part II Add-On Examinations for Homeopathy, Minor Surgery and Acupuncture shall not be required.

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD
NOTICE OF FINAL RULEMAKING**

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §3-1306, District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the adoption of amendments to Chapters 2 and 99 of Title 30 DCMR, "Lottery and Charitable Games." These amendments are necessary to adopt agent Minimum Sales Standards. No substantive changes have been made to the text of these proposed rules published in the D.C. Register on May 25, 2007 at 54 DCR 005319. These final rules will be effective upon publication of this notice in the D.C. Register.

AMEND CHAPTER 2. "LOTTERY LICENSES"

Amend subsection 203 by adding subsections §203.8 and §203.9, formerly subsection 205, to read as follows:

- 203.8 On-line lottery terminals shall be assigned only to agents who provide a physically secure location and space which is adequate to serve on-line ticket purchasers efficiently.
- 203.9 The Board may deny the assignment of an on-line terminal in a particular area if it determines that the area is adequately served.

Delete Section 205 Assignment of On-Line Computer Terminals in its entirety and replace with the following:

205 MINIMUM SALES STANDARDS FOR AGENTS

- 205.1 Pursuant to Chapter 2, §201.2 (d) of the D.C. Municipal Regulations, all licensed agents shall demonstrate the ability to maintain a Minimum Sales Standard as determined by the Executive Director.
- 205.2 The Minimum Sales Standard for agents for on-line and instant products shall be \$78,000 per fiscal year.
- 205.3 The Minimum Sales Standard levels may be changed by the Executive Director.

- 205.4 The Minimum Sales Standard levels may be changed by the Executive Director as warranted by costs, economic conditions or other program initiatives and considerations.
- 205.5 Agents performance will be measured at the end of each fiscal year by the Agency.
- 205.6 Agents licensed after June 1, 2007, shall have one (1) complete fiscal year to meet the Minimum Sales Standard.
- 205.7 Agents who do not meet the Minimum Sales Standard shall be notified in writing and be given two (2) quarters of the fiscal year, to meet the \$ 39,000 equivalent Minimum Sales Standard for that same time period.
- 205.8 Failure to meet the equivalent Minimum Sales Standard of \$39,000 after the two (2) quarter period may result in license suspension or revocation.
- 205.9 Pursuant to Chapter 2, §210.1, Agency's written notification shall be sent by certified mail, return receipt requested.
- 205.10 Pursuant to Chapter 2, §210.1 (b), agents may request a hearing regarding their suspension or revocations.

AMEND CHAPTER 99, "DEFINITIONS"

Amend subsection 9900.1 by adding the following:

Minimum Sales Standard – The minimum amount of lottery games sales that each agent must sell in a fiscal year.